

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ELSMERE PARK CLUB, L.P.,
a Delaware limited partnership,

Plaintiff,

v.

TOWN OF ELSMERE, a Delaware
municipal corporation, ELLIS
BLOMQUIST, EUGENE BONEKER,
and JOHN GILES,

Defendants.

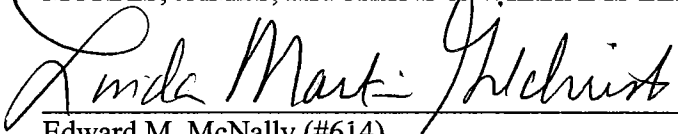
Civil Action No. 04-1321

JURY TRIAL DEMANDED

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56, Defendants Town of Elsmere, Ellis Blomquist, Eugene Boneker and John Giles, through their attorneys, hereby move the Court for summary judgment on the Elsmere Park Club, L.P. claims. In support of this motion, the moving defendants rely upon Defendants' Opening Brief In Support Of Their Motion For Summary Judgment.

MORRIS, JAMES, HITCHENS & WILLIAMS LLP



Edward M. McNally (#614)

Linda Martin Gilchrist (#3973)

222 Delaware Avenue, 10th Floor

Wilmington, Delaware 19801

(302) 888-6800

emcnally@morrisjames.com

lgilchrist@morrisjames.com

Attorneys for Defendants Town of Elsmere,

Ellis Blomquist and Eugene Boneker

Dated: September 1, 2005

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ORDER

AND NOW this ____ day of _____, 2005, the Court having
considered Defendants' Motion for Summary Judgment against the claims of Elsmere
Park Club, L.P., and all opposition thereto,

IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment
be, and the same hereby is, **GRANTED** in its entirety.

LET JUDGMENT BE ENTERED ACCORDINGLY.

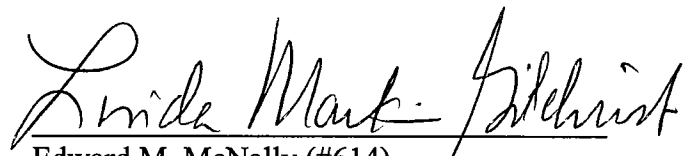
BY THE COURT:

The Honorable Sue L. Robinson

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2005, I electronically filed Defendants' Motion For Summary Judgment with the Clerk of Court using CM/ECF, which will send notification of such filing to the following:

David S. Eagle, Esquire
Klehr, Harrison, Harvey,
Branzburg & Ellers LLP
919 Market Street, Suite 1000
Wilmington, DE 19801
Attorneys for Plaintiff Elsmere Park Club, L.P.

A handwritten signature in cursive script, reading "Linda Martin Gilchrist". The signature is written in black ink and is positioned above the printed name and contact information for the defendant's attorneys.

Edward M. McNally (#614)
Linda Martin Gilchrist (#3973)
Morris, James, Hitchens & Williams LLP
222 Delaware Avenue, 10th Floor
Wilmington, DE 19801
(302) 888-6800
emcnally@morrisjames.com
lgilchrist@morrisjames.com
Attorneys for Defendant